

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DON NEWCOM CONLEY,

Civil No. 07-2379 (JRT/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

CITY OF MINNEAPOLIS, *et al.*,

Defendants.

Albert Usumanu, **ALBERT USUMANU LAW OFFICE**, 1201 Marquette Avenue, Suite 315, Minneapolis, MN 55403, for plaintiff.

Tracey Fussy, **OFFICE OF THE MINNEAPOLIS CITY ATTORNEY**, 333 South Seventh Street, Suite 300, Minneapolis, MN 55402, for defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated April 27, 2009 [Docket No. 51]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Defendant's motion for summary judgment [Docket No. 18] is

GRANTED; and

2. This action is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: June 3, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge